

HOUSE BILL No. 1322

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-6-12.

Synopsis: Mandatory ethanol level in gasoline. Requires blenders of gasoline to blend all gasoline intended for retail sale in Indiana into ethanol blended gasoline (a mixture of 90% gasoline and 10% ethanol) whenever the price of gasoline exceeds the price of ethanol blended gasoline.

Effective: Upon passage.

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January 15, 2008, read first time and referred to Committee on Roads and Transportation.

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Introduced

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

HOUSE BILL No. 1322

A BILL FOR AN ACT to amend the Indiana Code concerning motor fuel.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 6-6-12 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
3 PASSAGE]:

4 **Chapter 12. Required Blending of Gasoline**

5 **Sec. 1. As used in this chapter, "blender" means any person or**
6 **entity that blends, refines, manufactures, or produces gasoline**
7 **intended for sale at retail in Indiana.**

8 **Sec. 2. As used in this chapter, "ethanol" means agriculturally**
9 **derived ethyl alcohol.**

10 **Sec. 3. As used in this chapter, "ethanol blended gasoline"**
11 **means a mixture of ninety percent (90%) gasoline and ten percent**
12 **(10%) ethanol in which the ethanol meets the ASTM International**
13 **Specification D4806-06B.**

14 **Sec. 4. As used in this chapter, "gasoline" has the meaning set**
15 **forth in IC 6-6-1.1-103(g).**

16 **Sec. 5. As used in this chapter, "metered pump" has the**
17 **meaning set forth in IC 6-2.5-7-1.**

2008

IN 1322—LS 6935/DI 114+



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1 **Sec. 6. As used in this chapter, "sale at retail" means the sale of:**

2 **(1) gasoline; or**

3 **(2) ethanol blended gasoline;**

4 **from a metered pump to an end user.**

5 **Sec. 7. As used in this chapter, "total price per unit" means the**
6 **price per unit at which gasoline or ethanol blended gasoline is**
7 **actually sold, including the state gross retail, Indiana gasoline or**
8 **special fuel, and federal gasoline or special fuel taxes that are part**
9 **of the sales price.**

10 **Sec. 8. Except as provided in section 9 of this chapter, if at any**
11 **time a blender determines that the total price per unit of gasoline**
12 **exceeds the total price per unit of ethanol blended gasoline, the**
13 **blender must blend all gasoline intended for sale at retail in**
14 **Indiana into ethanol blended gasoline.**

15 **Sec. 9. A blender is not required to continue the blending**
16 **required under section 8 of this chapter during any period when**
17 **the total price per unit of ethanol blended gasoline is greater than**
18 **the total price per unit of gasoline.**

19 **Sec. 10. A blender must examine the total price per unit of**
20 **ethanol blended gasoline as compared to the total price per unit of**
21 **gasoline at least once per month.**

22 **SECTION 2. An emergency is declared for this act.**

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